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7
8 BEFORE THE
9 CALIFORNIA BOARD OF OCCUPATIONAL THERAPY
DEPARTMENT OF CONSUMER AFFAIRS
10 STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. 1-2004

12 DEANNA JOY CAUDILLO
165 Morristown Lane
13 Costa Mesa, CA 92626

O.A.H. No.

ACCUSATION

14 Occupational Therapy License No. O.T. 6430

15 Respondent.

16
17 Complainant alleges:

18 PARTIES

19 1. Gretchen L. Kiose (Complainant) brings this Accusation solely in her
20 official capacity as the Executive Officer of the California Board of Occupational Therapy
21 (Board), Department of Consumer Affairs.

22 2. On or about February 28, 2003, the California Board of Occupational
23 Therapy issued Occupational Therapy License No. O.T. 6430 to DeAnna Joy Caudillo
24 (Respondent). The Occupational Therapy License was in full force and effect at all times
25 relevant to the charges brought herein and will expire on August 31, 2004, unless renewed.

26 JURISDICTION

27 3. This Accusation is brought before the Board, Department of Consumer

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1 Affairs, under the authority of the following laws. All section references are to the Business and
2 Professions Code unless otherwise indicated.

3 4. Section 2570.26 provides, in pertinent part, that the Board "may, after a
4 hearing, deny, suspend, revoke, or place on probation a license, certificate, inactive license,
5 inactive certificate, or limited permit."

6 5. Section 2570.30 states that the board shall retain jurisdiction to proceed
7 with any investigation, action or disciplinary proceeding against a license, or to render a decision
8 suspending or revoking a license, regardless of the expiration, lapse, or suspension of the license
9 by operation of law, by order or decision of the board or a court of law, or by the voluntary
10 surrender of a license by the licensee.

11 6. Section 2570.28 provides that the Board "may deny or discipline a licensee
12 for any of the following", including:

13 "(a) Unprofessional conduct, including but not limited to the following:

14

15 "(h) Committing any fraudulent, dishonest, or corrupt act that is
16 substantially related to the qualifications, functions, or duties of a licensee.

17

18 "(k) Falsifying or making grossly incorrect, grossly inconsistent, or
19 unintelligible entries in a patient or hospital record or any other record."

20 7. Section 125.3 provides, in pertinent part, that the Board may request the
21 administrative law judge to direct a licensee found to have committed a violation or violations
22 of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
23 enforcement of the case.

24 FIRST CAUSE FOR DISCIPLINE

25 (Unprofessional Conduct)

26 8. Respondent is subject to disciplinary action for unprofessional conduct
27 pursuant to section 2570.28(a) as follows:

28 a. On or around July 1, 2000, Nancy Press (Press), an Occupational

1 Therapist hired Respondent on an independent contractor basis to provide therapy to minor
2 students enrolled at Enders Elementary School, Garden Grove Unified School District (School
3 District). Ms. Press had a contract with the School District to provide occupational therapy
4 services to students. Press paid Respondent \$45/hour for her billings which Press passed
5 through to the School District at the rate of \$100/hour. Respondent billed and was paid for
6 services she did not provide to two students. On or about January 30, 2003, the Board received
7 a letter of complaint from Ms. Press, who had discovered Respondent's conduct.

8 SECOND CAUSE FOR DISCIPLINE

9 (Substantially Related Fraudulent, Dishonest, and Corrupt Acts)

10 9. Complainant incorporates by reference the allegations contained in
11 paragraph 8 as though fully set forth here. Respondent is subject to disciplinary action pursuant
12 to section 2570.28(h) in that Respondent committed fraudulent, dishonest, or corrupt acts when
13 she fraudulently billed and received payment for one hour therapy sessions, which she did not
14 provide to the following two students as follows:

15 Jimmy M.

16 a. In September 2002, Respondent knowingly billed for four sessions of
17 therapy which she did not provide.

18 b. In October 2002, Respondent knowingly billed for five sessions of
19 therapy which she did not provide.

20 c. In November 2002, Respondent knowingly billed for three sessions of
21 therapy which she did not provide.

22 d. In December 2002, Respondent knowingly billed for three sessions of
23 therapy which she did not provide.

24 Joseph K.

25 e. In September 2002, Respondent knowingly billed for one session of
26 therapy which she did not provide.

27 f. In October 2002, Respondent knowingly billed for one session of
28 therapy which she did not provide.

1 g. In November 2002, Respondent knowingly billed for one session of
2 therapy which she did not provide.

3 h. In December 2002, Respondent knowingly billed for one session of
4 therapy which she did not provide.

5 THIRD CAUSE FOR DISCIPLINE

6 (Falsifying or Making Grossly Incorrect, Grossly inconsistent, or Unintelligible Entries)

7 10. Respondent is subject to disciplinary action pursuant to section 2570.28(j)
8 in that Respondent falsified or made grossly incorrect, grossly inconsistent or unintelligible
9 entries when she made billing entries for therapy sessions that she did not provide as described in
10 paragraph 9, supra.

11 PRAYER

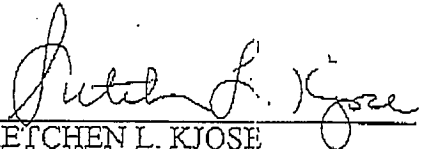
12 WHEREFORE, Complainant requests that a hearing be held on the matters herein
13 alleged, and that following the hearing, the California Board of Occupational Therapy issue a
14 decision:

15 1. Revoking or suspending Occupational Therapy License No. TO 6430,
16 issued to DeAnna Joy Caudillo.

17 2. Ordering DeAnna Joy Caudillo to pay the California Board of
18 Occupational Therapy the reasonable costs of the investigation and enforcement of this case,
19 pursuant to Business and Professions Code section 2661.5;

20 3. Taking such other and further action as deemed necessary and proper.

21 DATED: August 20, 2004

22 
23 GRETCHEN L. KIOSE
24 Executive Officer
25 California Board of Occupational Therapy
26 Department of Consumer Affairs
27 State of California
28 Complainant